

Narrative

Florida Statute §509.102 (mobile food dispensing vehicles; preemption) became effective on July 1, 2020, it defines mobile food dispensing vehicle, and preempts to the State of Florida the area of regulation of mobile food dispensing vehicles licenses, registrations, permits, and fees.

Florida Statute §509.102 further mandates that a municipality, county, or other local governmental entity may not require a separate license, registration, or permit as a condition for the operation of a mobile food dispensing vehicle within the entity's jurisdiction, and that a municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles from operating within the entirety of the entity's jurisdiction.

Florida Statute §509.102 provides that this section may not be construed to affect a municipality, county, or other local governmental entity's authority to regulate the operation of mobile food dispensing vehicles other than the regulations described within Florida Statute §509.102.

The City has drafted this mobile food vendor Code Amendment to conform to Florida Statute §509. 102 and still preserve required procedures and regulations for the operation of mobile food dispensing vehicles in the City. In summary, this Code Amendment is drafted to address mobile food vendors as indicated below:

- Operating on private property: No City permit is required. Mobile food vendor needs to comply with applicable City Code requirements.
- Operating on City-owned property or right-of-way: A City permit is required that complies with City Code requirements.